

(A) reference data on the health of marine mammals and populations of marine mammals; and

(B) data on species of marine mammals that are subject to unusual mortality events.

#### (d) Access

The Secretary shall, in consultation with the Secretary of the Interior, establish criteria, after an opportunity for public review and comment, for access to—

(1) marine mammal tissues in the Tissue Bank;

(2) analyses conducted pursuant to subsection (b) of this section; and

(3) marine mammal data in the data base maintained under subsection (c) of this section;

which provide for appropriate uses of the tissues, analyses, and data by qualified scientists, including stranding network participants.

(Pub. L. 92-522, title IV, § 407, formerly title III, § 307, as added Pub. L. 102-587, title III, § 3003(a), Nov. 4, 1992, 106 Stat. 5065; renumbered title IV, § 407, Pub. L. 103-238, § 24(b), Apr. 30, 1994, 108 Stat. 565.)

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1421g, 1421h of this title.

### § 1421g. Authorization of appropriations

There is authorized to be appropriated—

(1) to the Secretary for carrying out this subchapter (other than sections 1421d and 1421f of this title) \$250,000 for each of fiscal years 1993 and 1994;

(2) to the Secretary for carrying out section 1421f of this title, \$250,000 for each of fiscal years 1993 and 1994; and

(3) to the Fund, \$500,000 for fiscal year 1993.

(Pub. L. 92-522, title IV, § 408, formerly title III, § 308, as added Pub. L. 102-587, title III, § 3003(a), Nov. 4, 1992, 106 Stat. 5066; renumbered title IV, § 408, and amended Pub. L. 103-238, § 24(b), (c)(5), (6), Apr. 30, 1994, 108 Stat. 565, 566.)

#### AMENDMENTS

1994—Par. (1). Pub. L. 103-238, § 24(c)(5), made technical amendment to references to sections 1421d and 1421f of this title to reflect renumbering of corresponding sections of original act.

Par. (2). Pub. L. 103-238, § 24(c)(6), made technical amendment to reference to section 1421f of this title to reflect renumbering of corresponding section of original act.

### § 1421h. Definitions

In this subchapter, the following definitions apply:

(1) The term “Fund” means the Marine Mammal Unusual Mortality Event Fund established by section 1421d(a) of this title.

(2) The term “Office” means the Office of Protected Resources, in the National Marine Fisheries Service.

(3) The term “stranding” means an event in the wild in which—

(A) a marine mammal is dead and is—

(i) on a beach or shore of the United States; or

(ii) in waters under the jurisdiction of the United States (including any navigable waters); or

(B) a marine mammal is alive and is—

(i) on a beach or shore of the United States and unable to return to the water;

(ii) on a beach or shore of the United States and, although able to return to the water, is in need of apparent medical attention; or

(iii) in the waters under the jurisdiction of the United States (including any navigable waters), but is unable to return to its natural habitat under its own power or without assistance.

(4) The term “stranding network participant” means a person who is authorized by an agreement under section 1382(c) of this title to take marine mammals as described in section 1379(h)(1) of this title in response to a stranding.

(5) The term “Tissue Bank” means the National Marine Tissue Bank provided for under section 1421f(a) of this title.

(6) The term “unusual mortality event” means a stranding that—

(A) is unexpected;

(B) involves a significant die-off of any marine mammal population; and

(C) demands immediate response.

(Pub. L. 92-522, title IV, § 409, formerly title III, § 309, as added Pub. L. 102-587, title III, § 3003(a), Nov. 4, 1992, 106 Stat. 5066; renumbered title IV, § 409, and amended Pub. L. 103-238, § 24(b), (c)(7), (8), Apr. 30, 1994, 108 Stat. 565, 566.)

#### AMENDMENTS

1994—Par. (1). Pub. L. 103-238, § 24(c)(7), made technical amendment to reference to section 1421d(a) of this title to reflect renumbering of corresponding section of original act.

Par. (5). Pub. L. 103-238, § 24(c)(8), made technical amendment to reference to section 1421f(a) of this title to reflect renumbering of corresponding section of original act.

### CHAPTER 32—MARINE SANCTUARIES

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### § 1431. Findings, purposes, and policies

#### (a) Findings

The Congress finds that—

(1) this Nation historically has recognized the importance of protecting special areas of its public domain, but these efforts have been directed almost exclusively to land areas above the high-water mark;

(2) certain areas of the marine environment possess conservation, recreational, ecological, historical, research, educational, or esthetic qualities which give them special national, and in some cases international, significance;

(3) while the need to control the effects of particular activities has led to enactment of resource-specific legislation, these laws cannot in all cases provide a coordinated and comprehensive approach to the conservation and management of special areas of the marine environment;

(4) a Federal program which identifies special areas of the marine environment will con-

tribute positively to marine resources conservation, research, and management;

(5) such a Federal program will also serve to enhance public awareness, understanding, appreciation, and wise use of the marine environment; and

(6) protection of these special areas can contribute to maintaining a natural assemblage of living resources for future generations.

#### (b) Purposes and policies

The purposes and policies of this chapter are—

(1) to identify and designate as national marine sanctuaries areas of the marine environment which are of special national significance;

(2) to provide authority for comprehensive and coordinated conservation and management of these marine areas, and activities affecting them, in a manner which complements existing regulatory authorities.<sup>1</sup>

(3) to support, promote, and coordinate scientific research on, and monitoring of, the resources of these marine areas, especially long-term monitoring and research of these areas;

(4) to enhance public awareness, understanding, appreciation, and wise use of the marine environment;

(5) to facilitate to the extent compatible with the primary objective of resource protection, all public and private uses of the resources of these marine areas not prohibited pursuant to other authorities;

(6) to develop and implement coordinated plans for the protection and management of these areas with appropriate Federal agencies, State and local governments, Native American tribes and organizations, international organizations, and other public and private interests concerned with the continuing health and resilience of these marine areas;

(7) to create models of, and incentives for, ways to conserve and manage these areas;

(8) to cooperate with global programs encouraging conservation of marine resources; and

(9) to maintain, restore, and enhance living resources by providing places for species that depend upon these marine areas to survive and propagate.

(Pub. L. 92-532, title III, §301, Oct. 23, 1972, 86 Stat. 1061; Pub. L. 96-332, §1, Aug. 29, 1980, 94 Stat. 1057; Pub. L. 98-498, title I, §102, Oct. 19, 1984, 98 Stat. 2296; Pub. L. 102-587, title II, §2101, Nov. 4, 1992, 106 Stat. 5039.)

#### AMENDMENTS

1992—Subsec. (a)(2). Pub. L. 102-587, §2101(a)(1), inserted “, and in some cases international,” after “national”.

Subsec. (a)(4). Pub. L. 102-587, §2101(a)(2), inserted “, research,” after “conservation” and struck out “and” at end.

Subsec. (a)(6). Pub. L. 102-587, §2101(a)(3), (4), added par. (6).

Subsec. (b). Pub. L. 102-587, §2101(b), amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The purposes and policies of this chapter are—

“(1) to identify areas of the marine environment of special national significance due to their resource or human-use values;

<sup>1</sup> So in original. The period probably should be a semicolon.